DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS FOR CLONING NUCLEIC ACIDS IN A DESIRED ORIENTATION

the specification of wh (check one)	ich:		
	X is attached here June 15, 2004)	eto. (§371 national stage of PC	CT/IL2004/000515, filed
	was filed		as
	Application Serial No.		
	and was amended on_	December 15, 2005 (if applicable)	·
	ave reviewed and undersi as amended by any amendi	and the contents of the abovenent referred to above.	e-identified specification
		tent and Trademark Office all 37, Code of Federal Regulat	
365(b) of any foreign International Applicat below. I have also ide	application(s) for patent of tion which designated at entified below any foreign	le 35, United States Code, Seco or inventor's certificate, or Se least one country other than application for patent or inve fore that of the earliest applic	ection 365(a) of any PCT the United States, listec intor's certificate, or PCT
Prior Foreign Applica	etion(s)		Priority Claimed
<u>Number</u>	<u>Country</u>	Filing Date	<u>Yes</u> <u>No</u>
PCT/IL2004/000515	PCT	June 15, 2004	<u>X</u>
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Revised 09/02/04

provisional application(s) list	ed below:	le, Section 119(e) of any United State.
Provisional Application No.	Filing Date	<u>Status</u>
60/479,224	June 16, 2003	Pending as of June 15, 2004
listed below. Insofar as this ap	pplication discloses and claims su	lication(s) designating the United State, bject matter in addition to that disclosed rst paragraph of Title 35, United State.
Code, Section 112, I acknowled all information known to me Regulations, Section 1.56, who	edge the duty to disclose to the Un to be material to patentability a	ited States Patent and Trademark Officons Trailed in Title 37, Code of Federa This filing date(s) of such prior Application(s
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John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); Alan J. Morrison (Reg. No. 37,399); Gary J. Gershik (Reg. No. 39,992);

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

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John P. White, Esq. Reg.No. 28,678

Cooper & Dunham, LLP (Customer Number 23432)

1185 Avenue of the Americas
New York, New York 10036

Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor_		
Inventor's signature	(fh)	.005
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Residencesa	me as Postal Office Address	
Post Office Address	1/27 Neve Nir, 74042 Nes Zionna, Israel	
Inventor's signature		20 S
Citizenship Is	•	٠
	me as Postal Office Address 2/3 HaHagana Street, Rehovot, Israel	
Full name of additional joint inve Inventor's signature	ntor(if any) Shlomit Gilad Date of signature Necomber 8, 2	wo 5
Citizenship Is		
Residencesa	me as Postal Office Address	
Post Office Address	P.O.B. 3500, Tel Nof, 70700 Gedera, Israel	

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LITEQ (or Issued: Herev	vith	Docket No.: 6963
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	1	and \$1.27 (c) - Small	BUSINESS CONCERN
I hereby	y declare that I	am:	
	the owner of	the small business	concern identified below.
X	an official of concern ident	f the small business ified below:	concern empowered to act on behalf
Name of	Concern: Quark	Biotech. Inc.	
Address	of Concern: 6536	Kaiser Drive French	ont. California 94555.
	Unit	ed States of America	a carriornia 94555.
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anore: Separate verified statements are required for each named person, concern, or organization having rights to the invention averring to their status as small

37 C.F.R. \$\$1.9(c), 1.9(d), 1.9(e)

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- (c) An independent inventor as used in this chapter means any inventor who (1) has not assigned, granted, conveyed, or licensed, and (2) is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section.
- (d) A small business concern as used in this chapter means any business concern as defined by the Small Business Administration in 13 C.P.R. §121.3-18, published on September 30, 1982 at 47 FR 43273. For the convenience of the users of these regulations, that definition states:
- \$121.3-18 Definition of small business for paying reduced patent fees under Title 35, U.S. Code.
- (a) Pursuant to Pub. L. 97-247, a small business concern for purposes of paying reduced fees under 35 U.S. Code 41(a) and (b) to the Patent and Trademark Office means any business concern (1) whose number of employees, including those of its affiliates, does not exceed 500 persons and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For the purpose of this section concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.
- (b) If the Patent and Trademark Office determines that a concern is not eligible as a small business concern within this section, the concern shall have a right to appeal that determination to the Small Business Administration. The Patent and Trademark Office shall transmit its written decision and the pertinent size determination file to the SBA in the event of such adverse determination and size appeal. Such appeals by concerns should be submitted to the SBA at 1441 L Street, NW., Washington, D.C. 20416 (Attention: SBA Office of General Counsel). The appeal should state the basis upon which it is claimed that the Patent and Trademark Office initial size determination on the concern was in error; and the facts and arguments supporting the concern's claimed status as a small business concern under this section.
- (e) A nonprofit organization as used in this chapter means (1) a university or other institution of higher education located in any country; (2) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 U.S.C. 501(a)); (3) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S.C. 201(i)); or (4) any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (e)(2) or (3) of this section if it were located in this country.

IAP6 Rec'd PCT/PTO 15 DEC 2005

37 C.F.R. \$1.28(b)

(b) Once status as a small entity has been established in an application or patent, fees as a small entity may thereafter be paid in that application or patent without regard to a change in status until the issue fee is due or any maintenance fee is due. Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application or patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate pursuant to \$1.9 of this part. The notification of change in status may be signed by the applicant, any person authorized to sign on behalf of the assignee, or an attorney or agent of record or acting in a representative capacity pursuant to \$1.34(a) of this part.

Small Entity/Small Business Concern Page -2-

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.28(b)*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. \$1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:	Judith Abrahams, Ph.D.		
Title In Organization:	Vice President, Intellectual Property		
Address:			
Signature:	Jack Morray		
Date Of Signature:	& Dec 2005		
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